

LOS ANGELES GUIDE *for torture survivors*



Acknowledgements

The Legal Assistance for Torture Survivors Project of the Legal Aid Foundation of Los Angeles (LAFLA) started functioning as a specialized project of our Immigration unit in 2001, when the Office of Refugee Resettlement awarded LAFLA one of their “Treatment of Torture Victims/Survivors Program” grants. As a Torture Treatment Program we have continuously provided legal assistance to torture survivors and have developed a network of services with other agencies in Los Angeles in order to diversify our services.

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We hope that this guide will be the first step in a series of educational materials for both torture survivors and service providers. If this project allows the torture survivor to become self-sufficient faster, we will consider our goal reached.

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The Los Angeles Asylum Collaborative

The Los Angeles Asylum Collaborative is a group of organizations that has united efforts to provide a network of services to torture survivors/ victims of torture and those who have suffered persecution in their countries and who now live in the Los Angeles area.

The Legal Aid Foundation of Los Angeles' Torture Survivors Project, the Program for Torture Victims (PTV), the Immigrants' Rights Project at Public Counsel Law Center and the International Rescue Committee (IRC) work together as an organized collaborative to provide comprehensive legal, social and health services to immigrants in the Los Angeles area who were victims of torture and persecution in their country of origin.

After years of operating with this referral system we have found that clients benefit immensely from our collaboration. Once a person comes to one of our agencies he/she will be offered the full range of services offered by the Collaborative.

There is help in the form of legal and social benefits available to those who are eligible for asylum. However, because of the trauma many asylum seekers have faced in their countries of origin, the ordeal of getting to the United States, and the current political climate, which has become less hospitable to foreigners, many refugees and asylum seekers become isolated and have no idea that they have these rights and benefits. The problem is compounded by the fact that many service providers do not understand the immigration status of asylum seekers, asylees and refugees and may not recognize the documentation that verifies the legal status of an asylee. In many cases, service providers have wrongfully denied public benefits to the torture survivor that he/she is entitled to.

A constant exchange of information between service providers and the Collaborative has resulted in a very efficient way of making available the necessary information to clients when they have needed it.

The Los Angeles Guide for Torture Survivors is intended to reach those needing these services and to let them know of the services that are available to them for free.

This handbook can be also used by service providers, to help them understand the multiple needs and benefits that these individuals have in the United States. It is important to understand that this handbook will not substitute a Doctor's or Attorney's opinion and that such professionals should be consulted for each matter as appropriate. For more information, please contact any of our agencies.

Legal Aid Foundation of Los Angeles Torture Survivors Project

Background

For 75 years, the Legal Aid Foundation of Los Angeles (LAFLA) has provided legal services in civil (non-criminal) matters to low-income, working poor people. The Foundation is the oldest and largest law firm for the poor in California.

Equal Justice for All

LAFLA's mission is to promote access to justice, empower community residents, and effect systemic change through representation, advocacy and popular education.

Staffing

LAFLA has some 64 attorneys and 27 paralegals who are experts in poverty law. Together with the support staff, the firm provides dedicated legal service on a daily basis.

Offices

LAFLA is the frontline provider of civil legal services to low-income people in the greater Los Angeles area. Its six neighborhood offices serve the communities where its clients live and work; from Pico-Union to San Pedro, from East Los Angeles to Long Beach and many points in between such as South Central, Wilmington, Carson, the Crenshaw Corridor and Santa Monica. It maintains Spanish and Asian languages informational hotlines, and sees individuals at five courthouse clinics.

Services

LAFLA provides the most comprehensive range of legal services to indigent persons in our communities. Every day their lawyers and paralegals:

- Assist women and children escape domestic violence
- Protect senior citizens from losing their homes
- Work with community organizations developing childcare programs and affordable housing
- Help clients move from welfare to meaningful work
- Provide immigration assistance to unify families
- Help low wage workers receive fair compensation
- Obtain healthcare benefits for children
- Help tenants enforce their rights to safe and decent housing

Clients

According to the United Way, Los Angeles County has the largest poverty population of any metropolitan area in the nation. The American Bar Association estimates that there is approximately one legal need per low-income household per year. Two-thirds of LAFLA's clients are women.

Torture Survivors Project

The Torture Survivors Project attends to the needs of immigrants who were victims of torture in their countries of origin. It involves both free legal assistance and outreach to this diverse community of asylees and refugees.

The aim of this project is to identify and assist survivors of torture who have fled to the U.S and are now living in Los Angeles County. Many torture victims who are eligible for legal and governmental benefits do not know how to access services that are available to them. By working together with other organizations, provides help to a significant number of victims of torture who are part of Los Angeles' immigrant community.

For more information, please contact Carolina Sheinfeld at:

Legal Aid Foundation of Los Angeles
5228 E. Whittier Blvd.
Los Angeles, CA 90022
(213) 640-3933
www.lafla.org



Program for Torture Victims

Services

Established in 1980, the Program for Torture Victims (PTV) provides medical, psychological and case management services to survivors of state-sponsored torture and organized violence at no cost to the survivor.

Medical Services:

- Complete medical evaluation. Using a holistic approach to the physical health of the individual, this evaluation focuses on any medical condition the survivor presents.
- Medical treatment
- Access to medical specialists for assessment and treatment
- Documentation of medical evidence of torture (e.g., scars, broken bones, etc.) provided in support of asylum applications
- Expert witness testimony in immigration court

Psychological Services:

- Thorough psychological evaluation and treatment plan (tailored to the cultural values and practices of the individual)
- Wide range of therapeutic services
- Referral for psychiatric evaluation and medication as needed
- Documentation of psychological consequences of torture provided in support of asylum applications
- Expert witness testimony in Immigration Court

Case Management Services:

- Identify and evaluate survivors' immediate and potential future needs
- Ongoing case management, including: transportation, food, clothing, referral for ESL classes and legal representation
- Identify and link to programs and agencies that may meet survivors' needs
- Housing: Provides referrals, links to various cultural communities

The Program for Torture Victims provides medical, psychological and case management services to survivors of torture. For more information about their services contact Shoshana Martinez, Case Manager at:

Program for Torture Victims

3655 S. Grand Ave., Suite 290
Los Angeles, CA 90007
(213) 747-4944 extension 252
www.ptvla.org



Public Counsel Law Center

Public Counsel is the largest pro bono law office in the nation. They are the Southern California Public affiliate of the Lawyers' Committee for Civil Rights Under Law. Their staff of twenty-seven attorneys, along with thousands of volunteer lawyers, law students and legal professionals assist more than 25,000 low income children, youth, adults and families, as well as eligible community organizations each year. The value of free legal services provided during 2003 is conservatively estimated at over \$47 million.

They provide assistance in different areas of the law, but the one that assists torture survivors is the Immigrants' Rights Project (IRP).

IRP provides representation to individuals seeking asylum in the United States based on past persecution or a well-founded fear of future persecution on account of political opinion, race, religion, nationality, or membership in a particular social group.

IRP represents clients from all over the world for whom the U.S. is the last place of refuge and where return to their home country may mean death or torture.

Depending on the procedural posture of a case, asylum applicants are provided representation in administrative trials before Immigration Judges, on appeal before the Board of Immigration Appeals, an administrative appellate body, and before the U.S. Court of Appeals for the Ninth Circuit. In some cases, representation is provided in non-adversarial proceedings before the U.S. Citizenship and Immigration Services (USCIS).

Public Counsel has been a key component of the Los Angeles Asylum Collaborative, receiving the referrals that the other members send to them and sending them back to us for follow-up services after the client has obtained asylum.

To obtain legal assistance if you want to apply for asylum or for more information about the Asylum Program, please contact Katka Werth, Staff Attorney:

Immigrants' Rights Project

Tel.: (213) 385-2977 ext. 126

Fax: (213) 385-9089

kwerth@publiccounsel.org



International Rescue Committee – Los Angeles

The Los Angeles IRC office has been in operation since 1975, and has become one of the major U.S. destinations for refugee groups. Currently, the greatest number of refugees is arriving from Iran, the former Soviet Union, and Africa.

The goal of IRC-LA is to assist newly arriving refugees in their efforts to achieve speedy self-sufficiency and healthy integration into American society.

In 29 years of operation, the IRC-LA office has strived to help refugees adjust to their new home by providing core resettlement services through the Reception and Placement program.

In 1995, they expanded services and began an Immigration and Naturalization program to streamline these processes for refugee, asylee and immigrant clients.

Over the course of the last 8 years, the project has grown into a highly successful program catering to the needs of low income immigrants.

IRC LA also operates the Matching Grant Early Employment Program. The program offers placement into jobs that match the skills of up to 100 refugees a year in the greater Los Angeles area, helping them along the way toward financial independence and confidence through employment in suitable fields. In order to be eligible for the Matching Grant program, the client needs to enroll within 30 days of entry to the United States as a refugee or of the day that asylum was granted.

The International Rescue Committee is a world leader in relief, rehabilitation, protection, post-conflict development, resettlement services and advocacy for those uprooted or affected by violent conflict and oppression.

The Los Angeles IRC office has been in operation since 1975, and has become one of the major U.S. destinations for refugee groups.

The goal of IRC-LA is to assist newly arriving refugees in their efforts to achieve speedy self-sufficiency and healthy integration into American society.

For more information, please contact Kate Rath, Employment Specialist at:

IRC Los Angeles

3727 W. 6th St., Suite 619

Los Angeles

CA 90020

Tel: (213) 386-6700 extension 18

www.theirc.org



SECTION I

Torture

Torture as a Form of Persecution

What is torture?

Torture is a systematic and deliberate form of persecution. It can be physical, psychological and/or sexual in nature. It involves severe pain and suffering (physical or mental) and is intentionally inflicted.

The perpetrator is either a government official or other person acting in an official capacity or with the consent or acquiescence of a public official.

(See the United Nations definition in its 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment)

Why are people tortured?

People are tortured for different reasons, usually to obtain a confession, punish for an act he/she or another person has allegedly committed, to intimidate or coerce, or for any reason based on discrimination of any kind. Some of the reasons why people are tortured are:

- Political opinion, activities or membership in a political group
- Religious beliefs or practices
- Nationality
- Race
- Membership in a particular social group

Torture often goes undetected

- 150 nations practice systematic torture and maltreatment (Amnesty International, 2000).
- The U.S. government estimates that from 5% to 35% of refugees arriving in the U.S. were victims of torture.
- One third of the nation's asylum cases are registered in the LA metropolitan area.
- Over 25% of all asylum seekers granted asylum in the U.S. in 1997 lived in California, with half of those in Los Angeles.
- Anywhere from 18,500 to 130,000 of California's refugees may be torture survivors.
- Refugees and immigrants do not generally report themselves as survivors of torture. Knowledge about screening and treating torture survivors is scarce among health professionals.

Range of Experiences

- Multiple losses: home, family, culture, country, support system, role, safety, etc.
- Re-traumatized

- Often have complicated grieving
- At times faced stigma, shame, discrimination, and prejudice for being a refugee
- Sense of security has been compromised
- Suffered lack of food, water
- Uncertain future
- Language challenges
- Experienced war, bombings, peril of land mines, physical attacks, kidnappings, disappearances, genocide, massacres, rape, torture
- Refugee camps, detention upon arrival in U.S. (asylum seekers)
- Children growing up in abnormal environments

Consequences of Torture and Related Traumas

While many of the consequences of torture and other severe traumatic experiences are negative, some survivors also report that they emerged stronger in some ways. Some find that they discovered inner strengths or learned effective coping mechanisms. Others have found their lives enriched as their faith has strengthened. Others have found renewed conviction to fight for social, political, or religious justice and freedom. It is important, however, to also be aware of the range of possible deleterious consequences of torture and other traumas in order to plan effective and holistic interventions.

The Signs and Symptoms of Trauma

People experience trauma in many ways. Some of the most common symptoms include:

- memories and nightmares of the trauma
- avoiding things that remind of the trauma
- feeling numb
- hypersensitivity to things in the environment: fast heart rate, elevated blood pressure, difficulty breathing, sweating when something triggers reminders of the trauma
- sleep problems
- difficulty concentrating

These are symptoms of post-traumatic stress disorder (PTSD). PTSD describes only a few of the many problems people can have after a traumatic event or experience. Some of the other problems include:

Biological (bodily) problems

- Sleep difficulties
- Somatic problems (bodily pains, illnesses)
- Fatigue, exhaustion
- Startle response

- Severe injury
- Death
- Low birth weight
- Gynecological disorders
- Sexually transmitted diseases including HIV
- TMJ (temporal mandibular joint) problems that may also be associated with neck pain and headache (as result of grinding teeth as review trauma while sleeping).
- A host of stress and stress-related illnesses such as elevated blood pressure, alcoholism and drug abuse, etc.

Emotional (feeling) problems

- Anxiety
- Grief
- Depression
- Numbing
- Irritability
- Low self-esteem, or loss of respect for oneself
- Shame
- Fear

Cognitive (thinking) problems

- Intrusive thoughts about traumatic experiences
- Nightmares
- Difficulty concentrating
- Confusion
- Constant thoughts (obsession) with death
- Dissociation (disconnection between one part of one's experience and other parts, like thinking about terrible things without any feelings or having awful feelings without knowing what you're thinking)
- Depersonalization or feeling "unreal"
- Memory problems
- Flashbacks ("reliving" the traumatic events)

Behavioral (doing) problems

- Substance abuse (overuse of alcohol or other drugs)
- Aggression toward others
- High-risk behaviors (taking chances)
- Self-destructive behaviors (harming oneself)

- Suicide
- Inability to engage sexually with partner
- Sexual "acting out" or getting involved sexually with inappropriate partners
- Change in eating behavior (stopping eating or overeating)

Interpersonal (relating) problems

- Inability to trust others
- Social withdrawal
- Inability to feel connected to other people (friends, family, community)
- Inability to feel safe with others
- Need to control others
- Loss of respect for others

Social problems and their psychological consequences

- Poverty (no money and despair)
- Lack of housing (no place to live and a feeling of homelessness)
- Lack of food (hunger and fear)
- No jobs or way to support oneself (no way to structure one's time and no way to feel good about oneself; feeling dependent on others and unable to support family)
- Cultural emphasis on saving face is common in some immigrant communities, such as in Asian and Pacific Islander communities (shame, humiliation, withdrawal, etc.)
- Risk of repercussions, including the survivor and/or family members being killed (fear, blame self)
- Lack of family and other social supports in the U.S. (loneliness, depression, etc.)

Spiritual (meaning) problems

- Loss of faith in God
- Disrupted spirituality
- Cynicism
- Loss of sense of meaning and hope
- Reevaluating the old, pre-trauma, ways of making sense of the world and finding meaning in life

Culture also can play a significant role in the expression of symptoms, conceptualization of problems, coping efforts, and healing practices.

SECTION II

Legal Resources Available To Torture Survivors

Asylum

The information contained in this subsection can be found at the USCIS website: www.uscis.gov

What Is Asylum?

Asylum is a form of protection that allows individuals from other countries who are in the United States to remain here, provided that they meet the definition of a refugee.

To meet the definition of “refugee”, these individuals must establish that:

- They are unable or unwilling to return to their country (or if they have no nationality, the last country where they lived), or unable or unwilling to ask that country for protection; AND
- They were persecuted in their country (or if they have no nationality, the last country where they lived), or have a well-founded fear that they will be persecuted; AND
- The past persecution or persecution that they fear is because of their Race, Religion, Nationality, Membership in a particular Social Group, or Political Opinion.

Under the law, persecution for “political opinion” specifically includes persons who have been forced or fear being forced to undergo an abortion or forced sterilization and those who have been persecuted for resisting or who have a well-founded fear that they will be forced to undergo these procedures.

The law bars some people from applying for asylum. For example, a person is not eligible for asylum if he was involved in the persecution of others, or has been convicted of certain serious crimes (including aggravated felonies), or has committed a serious non-political crime outside of the United States, or is a security threat to the United States. Certain individuals are not eligible for asylum if they were firmly resettled in another country before coming to the United States.

Should You Apply For Asylum?

Whether you should apply for asylum is a serious decision you need to make. The circumstances you find yourself in may play an important part of how you reach a decision. For example, some people will have been stopped before even entering the U.S. and placed in detention by the immigration or border authorities; others will have successfully entered the U.S. (either lawfully or unlawfully) while others who initially entered, may be picked up sometime after their entry and placed in detention and in removal (deportation) proceedings. Depending on which of these situations you find yourself in, your options will differ accordingly.

However, the key to whether you should apply for asylum really starts with the questions:

- “Am I afraid to go back to my country because something happened to me there?”
- “Am I afraid to go back to my country because I am afraid of what will happen to me if I go back?”

If you answered “yes” to either or both of these questions, then a further assessment of your situation should be made. The next assessment that needs to be made is whether what happened to you or what you fear will happen to you in your country amounts to persecution; whether your fear of future persecution is reasonable; and whether the persecution suffered or that you fear is on account of one or more of the five grounds (i.e., race, religion, nationality, membership in a particular social group, or political opinion). Since these assessments involve technical legal definitions and interpretations, you are better off if you obtain the help of a lawyer who is familiar with immigration law, or a reputable community based organization (CBO) that provides immigration assistance. For a list of Immigration attorneys and CBOs, go to Section V of this guide.

How to Apply For Asylum?

The two main ways of obtaining asylum in the United States are through:

- 1) The affirmative process—that is, you have successfully entered the U.S. and are not in detention and decide to apply for asylum;
- 2) The defensive process—that is, you are being held in detention by the immigration or border authorities and are in removal proceedings:
 - a) Before an asylum officer in the context of an expedited removal hearing; or
 - b) Before an Immigration Judge (I.J.)

The “expedited removal” procedures are described in more detail in another section below. It should be noted that an expedited removal proceeding, which starts before an asylum officer, may end up before an Immigration Judge.

The Affirmative Asylum Process

STEP ONE: Asylum-Seeker Arrives in the United States

An asylum-seeker is generally eligible to apply for asylum under INA § 208(a) if he or she:

- is arriving in or physically present in the United States, and
- files within one year of arriving in the United States or establishes that an exception applies.

STEP TWO: Asylum-Seeker Applies for Asylum

Asylum-seeker files Form I-589, Application for Asylum and Withholding of Removal, with the appropriate Service Center within one year of last arrival in the United States (unless an exception applies).

STEP THREE: Applicant is Fingerprinted and Background Security Checks Conducted

Applicants between 14 and 79 years of age receive a notice from the Service Center to go to an Application Support Center or authorized Designated Law Enforcement Agency to have their fingerprints taken.

STEP FOUR: Applicant Receives Interview Notice

In most cases, an applicant will receive a notice stating the date, location, and time of the asylum interview within 21 days after the applicant mailed a complete Form I-589 to the Service Center.

STEP FIVE: Applicant is Interviewed by an Asylum Officer

The applicant is interviewed by an Asylum Officer at either:

- one of the eight asylum offices located in Arlington, VA; Chicago, IL; Houston, TX; Los Angeles, CA; Miami, FL; Newark (Lyndhurst), NJ; New York (Rosedale), NY; and San Francisco, CA - OR
- a district office

In the majority of cases, the applicant is interviewed within 43 days after the filing date. The exception is for those who are interviewed at the district offices. Asylum officers travel to certain district offices to interview applicants who live far from the eight asylum offices.

STEP SIX: Asylum Officer Makes Determination on Eligibility and Supervisory Asylum Officer Reviews the Decision

The Asylum Officer determines whether the applicant:

- meets the definition of a refugee in INA § 101(a)(42)(A), and
- is barred from being granted asylum under INA § 208(b)(2).

A Supervisory Asylum Officer reviews the Asylum Officer’s decision to determine if it is consistent with the law. Depending on the case, the Supervisory Asylum Officer may refer the decision to Asylum Division Headquarters staff for review.

STEP SEVEN: Applicant Receives Decision

In most cases, the applicant returns to the asylum office to pick up the decision two weeks after the interview was conducted.

The applicant will generally receive the decision 60 days after the filing date.

Longer processing times may be required for an applicant who is currently in valid status, was interviewed at a district office, or whose case is being reviewed by Asylum Division Headquarters staff. The decision is generally mailed to the applicant in these situations.

The Defensive Asylum Process with EOIR

Immigration Judges (IJ) with the Executive Office for Immigration Review (EOIR) hear asylum applications only in the context of “defensive” asylum proceedings. That is, applicants request asylum as a defense against removal (deportation) from the United States. Immigration Judges (IJ) hear such cases in

adversarial (courtroom-like) proceedings: the IJ is the judge that hears the applicant’s claim and also hears any concerns about the validity of the claim raised by the Government, which is represented by an attorney. The IJ then makes a determination of eligibility. If the applicant is not found eligible for asylum, the IJ determines whether the applicant is eligible for any other forms of relief from removal and, if not, will order the individual removed from the United States.

A person is placed into defensive asylum processing in one of two ways:

- they are referred to an IJ by Asylum Officers who did not grant them asylum (after the denial of an “affirmative” asylum application), or
- they are placed in removal proceedings because they are:
 - 1) Undocumented or in violation of their status when apprehended in the U.S. or
 - 2) Were caught trying to enter the U.S. without proper documentation (usually at a port-of-entry) and was found to have a credible fear of persecution or torture.

Key Differences Between “Affirmative” and “Defensive” Asylum Process	
<i>Affirmative</i>	<i>Defensive</i>
Asylum-seeker has not been placed in removal proceedings	Asylum-seeker has been placed in removal proceedings (deportation) in Immigration Court
Asylum-seeker affirmatively submits his or her asylum application to a USCIS Service Center	Asylum-seeker: <ul style="list-style-type: none">• Is referred by an Asylum Officer• Is placed in removal proceedings for immigration violations, or• Tried to enter the U.S. at a port-of-entry without proper documents and was found to have a credible fear of persecution or torture
Asylum-seeker appears before a USCIS Asylum Officer	Asylum-seeker appears before an Immigration Judge with the Executive Office for Immigration Review
Non-adversarial interview	Adversarial court hearing

Asylum-Seekers and Expedited Removal

The Immigration and Nationality Act (INA) authorizes the Department of Homeland Security (DHS) officers to remove (deport) certain aliens from the United States without giving them an opportunity to seek relief from removal in proceedings before an Immigration Judge. Most undocumented migrants stopped by immigration officials at a U.S. port-of-entry (airport, international border or sea port) may be subject to “expedited removal”. This means that, for persons other than genuine asylum seekers, refusal of admission and/or removal from the United States can be effected quickly.

However, some of the individuals arriving at an Immigration port-of-entry without proper documentation are genuine asylum-seekers fleeing persecution in their home country. Because of the circumstances of their flight from their homes and departure from their countries, they may arrive in the U.S. with no documents or with fraudulent documents obtained as the only way out of their country. Still, if an individual expresses a fear of return to the country to which he or she has been ordered removed, the Immigration Officer must refer the case to an Asylum Officer, who will determine whether the individual has a reasonable fear of persecution or torture. (Article 33 of the Refugee Convention relating to the Status of Refugees (Refugee Convention) and Article 3 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention Against Torture)).

Any person subject to expedited removal who raises a claim for asylum — or expresses fear of removal — will be given the opportunity to explain his or her fears to an Asylum Officer. Recognizing that some refugees may be hesitant to come forward with a request for protection at the time of arrival, immigration policy and procedures require Inspectors to ask each individual who may be subject to expedited removal the following series of “protection questions” to identify anyone who is afraid of return:

- Why did you leave your home country or country of last residence?
- Do you have any fear or concern about being returned to your home country or being removed from the United States?
- Would you be harmed if you were returned to your home country or country of last residence?
- Do you have any questions or is there anything else you would like to add?

If the individual expresses a fear of return, the individual is detained and given an interview by an Asylum Officer. The role of the Asylum Officer is as an Asylum Pre-Screening Officer (APSO) who interviews the person to determine if he or she has a credible fear of persecution or torture. This is a standard that is broader — and the burden of proof easier to meet — than the well-founded fear of persecution standard needed to obtain asylum. Those found to have a “credible fear” are referred to an Immigration Judge to hear and then judge their asylum claims. Those found not to have a reasonable fear of persecution or torture may request that an Immigration Judge review the determination. This places the asylum seeker on the “defensive” path to asylum. Most individuals who are found to have a credible fear

are almost immediately released to relatives or community groups, or on their own recognizance. However, some are not released, and instead are detained while their asylum claims are pending with the Immigration Judge.

If the Asylum Officer does not find a “credible fear”, it is important for the person to request review by an Immigration Judge. If an individual does not request review by the Immigration Judge or the Immigration Judge upholds the negative determination, the individual may be removed from the United States.

The Asylum Hearing Process Before an Immigration Judge

Everything that goes on at the hearings before the Immigration Court is tape-recorded. It is also possible to request a change of venue (i.e., a request to have the case transferred to another immigration court) or to request a reasonable continuance of any scheduled hearing date. However, many courts have local procedures that specify when such motions must be filed. The local rules should be consulted before bringing any such motions. A person appearing before an Immigration Judge (IJ) has certain rights:

Right to an Interpreter

At the hearing, the Immigration Court must provide a competent interpreter for the asylum seeker and any non-English speaking witnesses. The IJ also has an obligation to advise persons coming before them of some of their rights.

Right to Counsel

As an initial matter, the IJ must advise the person of the right to counsel of their choice at no expense to the government. (What this means is that you have the right to a lawyer, but the government WILL NOT give you a free lawyer.) The IJ also has to let the person know that there are certain free or low-cost services that may be available and to make sure that they are given a list of those lawyers or legal aid organizations.

Power to issue subpoenas and compel attendance of witnesses

The law permits parties to request subpoenas (writs) to force the attendance of witnesses or to take depositions (sworn testimony of parties) who are not reasonably available to testify at the hearing.

Right to Cross-Exam Witnesses Introduced by the Government, Right to Present Evidence/Witnesses & Right to Oppose evidence submitted by the Government

Additionally, a person in proceedings enjoys the right to have a reasonable opportunity to examine and object to the evidence against him/her, the right to present evidence (including witnesses on his/her behalf) and the right to object to any evidence or testimony presented by government, as well as the right to cross-exam witnesses introduced by the government against him/her. The law, however, has created a “national security” exception that may force the person to defend against evidence and testimony that they are unable to see.

Supporting Evidence & Declaration

At a hearing, you will want to make sure that you have evidence to support your claim. Often your own detailed declaration is the most powerful piece of evidence.

A declaration can be written to supplement the request for asylum (Form I-589) and can be used to give a detailed explanation of what has happened to you and what you fear may happen to you if you return. Declarations from other witnesses familiar with your situation can also be helpful.

Additionally, if you have any physical or psychological trauma that you suffered, it is very helpful to seek out the services of medical professionals. Getting medical treatment can help you as an individual to deal with the effects of torture, and it can also provide a source of information that you can present to the court. *Please consult the section on Program for Torture Victims for contact information.*

Other useful information can include human rights reports from the US Department of State and from other non-governmental organizations (NGO's) as well as newspaper and magazine articles. Even if none of these materials name you specifically, they are helpful to establish the context of your claim, especially if they establish a pattern of persecution directed at persons in situations similar to your own.

Remember to keep copies of every piece of evidence that you submit, in case you need to appeal the decision.

Decision

At the conclusion of the hearing, the Immigration Judge will issue a decision, which may be in writing, but is usually issued orally after all of the evidence has been presented.

If You Are Denied Asylum Relief By an Immigration Judge

If you are denied asylum by the Immigration Judge you will be asked whether you “reserve” appeal, or whether you “waive” appeal. IF YOU HAVE BEEN DENIED ASYLUM YOU SHOULD RESERVE APPEAL. FAILURE TO RESERVE APPEAL MEANS THE DENIAL IS FINAL.

Time Frame

If you reserved appeal, you have the right to file a Notice to Appeal (Form EOIR-26) with the Board of Immigration Appeals (BIA) within 30 days of the Immigration Judge decision. (If the IJ mailed the decision denying your case, you would have 33 days to file the notice of appeal.) The filing fee (currently \$110.00) and the correctly completed Notice of Appeal with proof of service on the government MUST BE RECEIVED by the BIA within the 30-day-deadline.

The IJ should advise you of your right to appeal (within 30 days) to BIA, and provide you with the form to make the appeal. You can also get the form on-line at: http://www.usdoj.gov/eoir/eoirforms/eoir26_0209.pdf

Types of Errors in a Decision

The appeal form should be filled-out and include an explanation of why you think the Immigration Judge (IJ) made a mistake in denying your case. The IJ mistake may be factual, legal and/or procedural. For example, a factual error in the IJ's decision would be if he/she reached a conclusion about how things happened that is

not supported by the evidence and is not what you or your witnesses stated. An example of a legal error might be where the IJ decided that you were legally not eligible for asylum because he or she concluded that you were “firmly resettled” in another country, when in fact, under the law such a conclusion would be wrong. A procedural error would have to be one that affected your rights in the hearing, such as you were denied an opportunity to cross-examine a witness, or your own witness was not allowed to testify. Another example of a procedural (“due process”) violation, would be if the interpreter was not competent to translate, or if you had a lawyer that represented you ineffectively.

How to fill-out the Notice of Appeal

Filing the Notice of Appeal is very important. That is why it is advisable to seek out the advice of a competent immigration attorney. Ideally, you will want to have some degree of specificity regarding the nature of the Immigration Judge's errors (i.e., describe the factual, legal and procedural errors) and some authority that can be cited why such a mistake should be overturned. The legal authority why a particular mistake should be overturned is particularly the type information a knowledgeable immigration lawyer can identify since the law governing these appeals can be found in statutes and regulations and in Court and Board of Immigration (BIA) precedent decisions. Someone without legal training may not be readily familiar with the law and how to apply it to your situation. For a list of Immigration attorneys and Community Based Organizations, go to Section V of this guide.

What happens after the Notice of Appeal is Filed?

After the Notice of Appeal is filed, the Board of Immigration Appeals (BIA) prepares a transcript. The transcript is a typed version of all of the testimony that was tape recorded at all of your hearings. They do not send you a copy of your asylum application and/or any exhibits that you filed. If you did not keep copies of these other documents, you should file a request for the contents of your file from the EOIR and from the Department of Homeland Security. These requests can be made under the Freedom of Information Act” (FOIA). (The forms to request a FOIA can be found at:

<http://uscis.gov/graphics/formsfee/forms/g-639.htm>

You should make your FOIA requests right away because it could take anywhere from two months to one year or longer to receive the requested materials.

At this point, you are now waiting for the BIA to prepare the transcript. After the transcript is prepared, it will be mailed to you (or your lawyer if you have one) along with a cover letter setting a briefing schedule. A “brief” is a written argument that explains in more detail why you think the Immigration Judge (IJ) is wrong in denying you asylum.

You will be instructed to file a brief by a certain deadline. The notice will also say when the government's reply is due. Usually, the BIA only grants about three weeks for your opening brief. You can ask for an extension of time, but the BIA is not very generous in granting extensions. The BIA will usually grant you one extension of three weeks from the first date that the brief was originally due. That

is, the BIA order granting the three week extension will usually start counting the new three week extension from the date when the brief was first due and not from the date that you receive the notice granting the extension.

After your brief is filed, the government has its time period as set by the BIA in which to file its reply brief.

Once the briefing schedule is over, the matter stands submitted to the BIA and you are now waiting for the BIA decision.

If You Are Granted Asylum Before an Immigration Judge

If the Immigration Judge (IJ) grants asylum relief, that's good because that's what you wanted, but it is not necessarily over yet because the government lawyer can file an appeal. It is only over if the government lawyer tells the IJ after the decision that the government "waives" appeal; or, if the government "reserves appeal" at the end of the hearing, but fails to actually file an appeal within the 30-day period when the government "notice of appeal" is due.

a) When a Grant of Asylum Relief from an Immigration Judge Becomes Final

If the Government waives appeal or reserves, but does not file an appeal, the asylum decision is final and you immediately acquire the status of an "asylee". As an asylee, you become eligible for certain benefits and can petition for your spouse and children so that they can also receive status as derivative asylees.

b) When a Grant of Asylum from an Immigration Judge Is Appealed by the Government

If the Government reserves appeal, and files the notice of appeal with the Board of Immigration Appeals (BIA) within 30 days, then your grant of asylum is not final. The transcript will be prepared and both you and the government will receive a copy of the transcript and a "briefing schedule" along with the copy of the transcript. Since the government filed the appeal, they will have to file their brief first to explain why they think the Immigration Judge (IJ) was wrong in granting you asylum. You will have an opportunity to file a response brief on a date set by the BIA after the government brief due date. In your brief, you have the opportunity to say why the IJ reached the right result in granting you asylum.

Once the briefing schedule is over, the matter stands submitted to the BIA and you are now waiting for the BIA decision.

If the BIA decision is in your favor, you are now an asylee. If the BIA decision is in your favor, you are now an asylee. The Government cannot file a Court appeal of the decision. Only you have the right to seek review in the Court of Appeals of a BIA decision that is against you. However, there is a slight possibility that the government will ask the Board of Immigration Appeals (BIA) to reopen or reconsider its decision. It is also possible, but very unusual for the Government to ask the Attorney General to overturn the BIA decision in your favor.

If the BIA issues a decision against you, you have the right to file a petition for review with the court of appeals. Cases arising in California (and certain other states) fall under the jurisdiction of the 9th Circuit Court of Appeals. The petition

for review must be filed within 30 days of the final BIA decision. Moreover, the mere filing of the notice of appeal does not stay the removal (deportation) order against you. In order to get a stay of removal pending the review of your petition, a separate request ("motion") must be filed and granted by the court.

A petition for review can be a very complex undertaking. It is highly recommended that you get a competent lawyer to represent you to pursue such an appeal.

Other Forms of Relief

Protection Against Removal Under the Convention Against Torture (CAT)

A form of relief, which is similar to asylum in some respects, is available even to a person who is not eligible for asylum. Those not eligible for asylum might be eligible for protection against removal (deportation) under the Convention Against Torture (CAT) if they have a "reasonable fear of persecution or torture".

WHAT IS A REASONABLE FEAR OF PERSECUTION OR TORTURE?

A "reasonable fear of persecution or torture" is defined as a "reasonable possibility" that in the country of proposed removal the individual will be:

- **Persecuted** on account of his or her race, religion, nationality, membership in a particular social group, or political opinion, or
- **Tortured**, as defined in the Convention Against Torture and as modified by the United States law, including severe pain or suffering, whether physical or mental and intentionally inflicted on a person for such purposes as
 - 1) obtaining from him or her or a third person information or a confession
 - 2) punishing him or her for an act he or she or a third person has committed or is suspected of having committed
 - 3) intimidating or coercing him or her or a third person, or
 - 4) for any reason based on discrimination of any kind

By or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

The U.S. implementation of the Convention Against Torture also requires that the individual be in the torturer's control or custody, and that harm arising only from, inherent in, or incidental to lawful sanctions generally is not torture.

WHEN DO ASYLUM OFFICERS CONDUCT REASONABLE FEAR OF PERSECUTION OR TORTURE INTERVIEWS?

Asylum officers conduct reasonable fear of persecution or torture interviews in two types of cases:

- 1) An individual who –after having been removed or having departed voluntarily while under an order of removal- is subject to reinstatement of a prior removal order (is being deported again) because he or she illegally reentered the United States.
- 2) An individual who is subject to an order of removal because he or she was convicted of one or more aggravated felonies after admission.

WHEN DO REASONABLE FEAR INTERVIEWS TAKE PLACE?

Asylum officers are required by regulation to conduct the interview and make the reasonable fear determination within 10 days after the case has been referred to the asylum office, unless there are exceptional circumstances. If an individual is serving a lengthy prison sentence, the asylum officer will not conduct the reasonable fear interview until the individual has nearly completed the sentence or otherwise is soon to be released to Immigration custody. See 8 CFR § 208.31(b). In most cases, the individuals will be detained.

WHAT WILL HAPPEN IF THE ASYLUM OFFICER FINDS A REASONABLE FEAR?

The Asylum Officer must refer the case to the Immigration Judge, after review by the USCIS Headquarters Asylum Division staff, if reasonable fear of persecution or torture is found.

WHAT WILL HAPPEN IF THE ASYLUM OFFICER DOES NOT FIND A REASONABLE FEAR?

If a reasonable fear of persecution or torture is not found, the individual can request review of the decision by an Immigration Judge. If no review is requested or the Immigration Judge concurs with the negative decision, the individual will be removed from the United States.

WHAT WILL HAPPEN BEFORE THE IMMIGRATION JUDGE?

If the Asylum Officer did not find a reasonable fear of persecution or torture, and the Immigration Judge concurs with the Asylum Officer's decision, the case will be returned to Immigration and the individual may be removed from the United States. The individual cannot appeal the Immigration Judge's decision.

Withholding of Removal

If he or she does not qualify for asylum, the individual may apply for withholding of removal before the Immigration Judge in two circumstances:

- 1) The Asylum Officer found a reasonable fear of persecution or torture, or
- 2) The Immigration Judge found a reasonable fear of persecution or torture after the Asylum Officer first found no reasonable fear and the individual requested that an Immigration Judge review that determination.

The Immigration Judge will consider the applicant's request for withholding of removal but the applicant will have the burden of proof of establishing that he or she is eligible for withholding of removal under either of the following:

- Section 241(b)(3) of the INA: The applicant must establish that his or her life or freedom would be threatened in the proposed country of removal on account of race, religion, nationality, membership in a particular social group, or political opinion.
- Convention Against Torture: The applicant must establish that it is more likely than not that he or she would be tortured if removed to the proposed country of removal.

If the applicant is found to have a reasonable fear of persecution or torture, the Immigration Judge will consider whether the applicant is barred from a grant of

withholding of removal. See 8 CFR § 208.16(d). If a bar applies, but the applicant has established that he or she would be tortured in the country of return, the Immigration Judge will grant deferral of removal. See 8 CFR § 208.17.

If the Immigration Judge grants withholding of removal, the applicant cannot be removed to the country where the person fears persecution or torture, but may be removed to another country. If the Immigration Judge does not grant withholding of removal, the applicant may appeal the decision to the Board of Immigration Appeals.

Important Note

It is recommended that you seek the assistance of a legal aid organization or an attorney to assist you with the preparation of any forms and applications. If you decide to prepare these forms by yourself, keep in mind that you should keep a copy of any documents that you send either to the Executive Office of Immigration Review (EOIR) or to USCIS. You may also want to mail immigration documents by registered mail as proof of delivery.

Civil Rights of Immigrants Regardless of Legal Status

Constitutional Rights

If you are a citizen of another country currently visiting or living in the United States, there are certain rights you are entitled to. These are Constitutional rights, and even during a state of emergency or wartime, they can not be suspended:

- The Right to Remain Silent when asked questions by a police officer or Government agency
- The Right to be Free from "Unreasonable Searches and Seizures": police officers or government agents can not search your home or office without a warrant if you don't consent to it.
- The Right to Advocate for Change

Immigration and Customs Enforcement

If you are not a U.S. citizen, there are still some rights you can claim. You should assert your rights and be sure to talk to an immigration lawyer before leaving the U.S.

Among your rights:

- You have the right to talk to a lawyer before answering any questions or signing any papers.
- You do not have to answer questions about your immigration status or any other questions.
- If you're arrested or detained, the CIS must decide in 48 hours whether to put you in proceedings and whether to keep you in custody or release you on bond.

- In most cases, you have the right to ask for release from detention by paying a bond, or to ask for a bond before an immigration judge.
- In most cases, you have the right to a hearing before an immigration judge before you can be deported.
- If you are a foreign national arrested in the United States, you have the right to call your Consulate or to have the police inform the Consulate.

Asylees and Immigration

Refugees & Asylees

A refugee is any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unwilling or unable to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. (Immigration and Nationality Act)

Refugees are given that status by the United Nations High Commissioner for Refugees (UNHCR), who sends representatives to the refugee camps around the world to perform interviews of these individuals.

Asylees meet the definition of refugee, but are different in the fact that they are present in the United States pursuant to either a lawful or unlawful admission, and while here in the United States, they make a request for asylum. The request for asylum must be submitted within one year of the person's arrival in the United States. Cases filed after one year may be rejected because there are only certain circumstances that are recognized to excuse a late filing. This process can take place at different instances:

Affirmative Asylum (Department of Homeland Security – US Citizenship and Immigration Services, USCIS –formerly INS)

- At the moment of entry, at the airport or other port of entry
- Sending the Application for Asylum to the Asylum Office of the area where the person resides

Defensive Asylum (Department of Justice)

- In Immigration Court

Proof of Status

There are various forms of proof of “asylee” status. Some of them include the following documents:

- 1) An Immigration Judge's Order, which is also known as a “court order” or “court decision.” This form will have a section where ‘asylum granted’ is checked. It will have the letterhead “United States Department of Justice, Executive Office of Immigration Review, Immigration Court” and the city where that court is located.

- 2) An I-94 card, Arrival-Departure Record, which is usually a white card, stamped “Asylum Granted Indefinitely Pursuant to Section 208 of the Act.”

How do you obtain an I-94 Card:

- At the moment of entry as a refugee (Airport)
- At the moment of grant of asylum (Anaheim Asylum Office)
- Requesting it at the USCIS (formerly INS) local office after being granted asylum before an immigration judge:

USCIS Building East Los Angeles
Plaza del Sol
1241 South Soto Street
Room 2117, Los Angeles

If you lost your I-94, you can request a replacement submitting an application I-102 with a \$155 filing fee with the California Service Center:

U.S. Department of Homeland Security
US Citizenship and Immigration Services
California Service Center
P.O. Box 30111
(I-102 / I-94 Replacement)
Laguna Niguel, CA 92607-0111

- 3) A letter from the USCIS Asylum Office or the Board of Immigration Appeals (BIA) (To see samples of these documents, go to the appendix section)

U.S. Citizenship and Immigration Services

Applications and Forms

For more information on the different type of applications and to find the necessary forms, go to the U.S. Citizenship and Immigration Services website at:

<http://uscis.gov/graphics/formsfee/forms/index.htm>

Immigration-related services available to refugees and asylees

Work Permits

The Immigration and Nationality Act states that asylum status shall *authorize the alien to engage in employment* in the United States.

An Employment Authorization Document (EAD), or “work permit” is not required to work if you have a Social Security Card and a California Identification card or Driver's License. However, the first EAD card is free and it will be helpful in the first few months of holding asylee status to obtain this reliable photo ID card issued by USCIS. For more information and to find the I-765 form (Application for Employment Authorization Document) go to the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/i-765.htm>

If you don't have Internet access, you can request any forms by calling the USCIS Forms Request Line at:

USCIS Forms Request Line
1 (800) 870-3676

After completing the forms and including the requirements, if you decide to prepare the application by yourself, remember to make a copy of the application for your records and send the original to:

U.S. Citizenship and Immigration Services
Nebraska Service Center
P.O. Box: 87765
Lincoln, NE 68501-7765

Family Reunification

Asylees have two years from the date they were granted asylum to apply for their spouse and children (single and under 21 years old) to join them as "asylee derivatives" in the US. The marriage must have existed at the time the asylum was granted. For more information and to find the I-730 form (Refugee/Asylee Relative Petition), go to the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/i-730.htm>

If you don't have Internet access, you can request any forms by calling the USCIS Forms Request Line at:

USCIS Forms Request Line
1 (800) 870-3676

After completing the forms and including the requirements, if you decide to prepare the application by yourself, remember to make a copy of the application for your records and send the original to:

U.S. Citizenship and Immigration Services
Nebraska Service Center
P.O. Box 87730
Lincoln, NE 68501-7751

Refugee Travel Document

As an asylee, you may only travel outside the country with a Refugee Travel Document. An asylee may travel anywhere in the world except the country from which they fled. This document is valid for one year. After the Refugee Travel Document expires, the person needs to apply for a new one if he/she needs to travel outside of the United States again. An application for a Refugee Travel Document must be made while the applicant is in the United States. For more information and to find the I-131 form (Application for Travel Document), go to the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/i-131.htm>

If you don't have Internet access, you can request any forms by calling the USCIS Forms Request Line at:

USCIS Forms Request Line
1 (800) 870-3676

After completing the forms and including the requirements, if you decide to prepare the application by yourself, remember to make a copy of the application for your records and send the original to:

U.S. Citizenship and Immigration Services
Nebraska Service Center
P.O. BOX 87131
Lincoln, NE 68501-7131

Adjustment of Status

It is important to apply to USCIS to adjust to lawful permanent resident ("green card") status as soon as you're eligible. Your asylum status may be ended by the US Government if they find that you no longer have a well founded fear of persecution due to changes in the country you fled, if you are granted protection in another country, or if you commit certain crimes.

You are eligible to apply to adjust your status to Legal Permanent Resident, or "Green Card" holder after having lived in the United States for at least one year from the date you were granted asylum. (The adjustment process for an asylee can take 12 to 14 years, while for refugees it takes 2 to 3 years.)

Why is it taking so long for asylees to get their Greencards? At this time, there are only 10,000 greencards per year available for asylees. The number of cases pending is more than 160,000 (as March 1, 2004 – USCIS website) and every year more asylees apply, which increases the backlog. Since the law might change, if you are an asylee you should periodically check with your Congressional representative on any changes on the annual cap.

If you have Internet access, go to this link to find more about the USCIS anticipated schedule for Adjustment of Status applications for asylees:

<http://uscis.gov/graphics/fieldoffices/nebraska/asyleeadj.htm>

For more information and to find the forms I-485 (Application to Register Permanent Residence or Adjust Status) and G-325-A (Biographic Information), go to the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/i-485.htm>
<http://uscis.gov/graphics/formsfee/forms/g-325a.htm>

If you don't have Internet access, you can request any forms by calling the USCIS Forms Request Line at:

USCIS Forms Request Line
1 (800) 870-3676

After completing the forms and including the requirements, if you decide to prepare the application by yourself, remember to make a copy of the application for your records and send the original to:

US Citizenship & Immigration Service
Nebraska Service Center
P O Box 87485
Lincoln, NE 68501-7485

Naturalization

Asylees and refugees can apply to become naturalized United States Citizens after being permanent residents (greencard holder) for 5 years. The advantages of becoming a Citizen are various, among them:

- Voting
- Applying for certain government jobs
- Petitioning for additional family members and with a shorter waiting time
- Not being deported from the United States

In order to become a U.S. Citizen:

- 1) You must be at least 18 years old.
- 2) You must have lived in the United States legally for at least 5 years. However, if you are lawful permanent resident because of marriage to a U.S. Citizen, and you are still married to that person, you can apply after only three years.
- 3) You need to have lived in the U.S. for at least half of the last five years (or half of the last three if you are applying as the spouse of a U.S. Citizen.)
- 4) You must have good moral character. If you have **any** criminal arrests or convictions, it is very important to seek legal advice before applying for naturalization. There are certain crimes that will make you ineligible and could even result in your arrest and deportation and there are other crimes that may be forgiven.
- 5) You must be able to speak, read and write English at a basic level. The only exceptions are for people who are either:
 - a) 55 years or older AND have had their green card for at least 15 years; or
 - b) 50 years or older AND have had their green card for at least 20 years.
- 6) You must be able to pass a test on U.S. history and civics. The questions will come from a list of 100 possible questions. If you qualify, you may be able to take the test in your own language. If you are 65 years or older AND have had your green card for at least 20 years, you will be asked questions in your own language from a list of only 25 questions.
- 7) There are many schools that offer classes in English as a Second Language and US history and civics. Call 62 LEARN or (213)-625-3276, for information.
- 8) If you have a mental or physical disability that makes you unable to learn English or pass the U.S. History and Civics test, you might still be eligible to become a U.S. citizen. You will need a doctor or psychologist to describe your condition and explain why its symptoms prevent you from learning English or passing the U.S. History and Civics test, or both.
- 9) You will have to take an oath of allegiance to the United States. There are some modified oaths that are permissible if your religion forbids you from taking the complete oath.

For more information and to find the form N-400 (Application for Naturalization), go to the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/n-400.htm>

If you don't have Internet access, you can request any forms by calling the USCIS Forms Request Line at:

USCIS Forms Request Line
1 (800) 870-3676

After completing the N-400 forms and including the requirements, if you decide to prepare the application by yourself, remember to make a copy of the application for your records and send the original to:

U.S. Citizenship and Immigration Services
CALIFORNIA SERVICE CENTER
P.O. Box 10400
Laguna Niguel, CA 92607-0400



Change of Address

All non-U.S. citizens, including asylees and permanent residents (greencard holders) are required to notify USCIS when they change their address. You may notify the INS by submitting a Change of Address form (AR-11). Again, you should **keep a copy** of any documents that you send to the INS. You may also want to mail immigration documents by **certified mail** as proof of delivery. This form can be found at the USCIS website:

<http://uscis.gov/graphics/formsfee/forms/ar-11.htm>

The address where to send it is:

USDHS - USCIS
Change of Address
P.O. BOX 7134
London, KY 40742-7134

You should also complete a change of address/mail forward form with your local post office to ensure that your mail will be forwarded to your new address.

Selective Service

Almost all male U.S. citizens, and male aliens, including asylees and refugees, living in the U.S., who are 18 and have not yet reached age 26 are required by law to register with the Selective Service.

You can register online at:

<https://www4.sss.gov/regver/register1.asp>

Special Registration

National Security Entry/Exit Registration System established a national registry for temporary foreign visitors (non-immigrant aliens) arriving from certain countries, or who meet a combination of intelligence-based criteria, and are identified as presenting an elevated national security concern. The domestic registration program included citizens or nationals from Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Libya, Lebanon, Morocco, North Korea, Oman, Pakistan, Qatar, Somalia, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen.

Most of the foreign visitors registered are students, individuals in the U.S. on extended business travel, or individuals visiting family members for lengthy periods. The requirement to register does not apply to U.S. citizens, lawful permanent residents (green card holders), refugees, asylum applicants, asylum grantees, and diplomats or others admitted under "A" or "G" visas.

At the time of initial registration, all individuals were given instructions that they had to re-register in one year, or after thirty days if initially registered at a port-of-entry.

Effective December 2, 2003 the Department of Homeland Security suspended the 30-Day and annual interview requirements from the Special Registration process for certain nonimmigrants. Instead, the Department of Homeland Security will utilize a more tailored system in which it will notify individual aliens of future registration requirements.

General Tips

Internet

All City of Los Angeles and Los Angeles County public libraries have free Internet access, if you don't know which is the closest library to your location please call: (213) 228-7000, then press 7 for staff assistance.

Mailing your applications to USCIS

When sending your applications to the United States Citizenship and Immigration Services (USCIS), make a copy of the application and send the original as "certified mail" and also request a "return receipt". It will only cost you \$2.30 and \$1.75 each.

SECTION III

Public Benefits Available To Torture Survivors: Social Security, Public Benefits & Financial Aid

Social Security

Social Security Administration

One of the first things you should do when you are granted asylum is apply for a social security number (SSN). You may do this at your local Social Security Administration Office. Asylees should be issued an UNRESTRICTED social security card. If you receive a social security card which reads "Valid for Work Only with USCIS authorization" please contact LAFLA to assist with the correction of this mistake.

SSN Application

In order to show proof of your eligibility for a SSN an asylee needs to present ONE of the following:

- A copy of the Immigration Judge's order of asylum
- I-94 with a stamp showing the individual is granted asylum
- A letter from the Asylum Office.
- A valid work permit/EAD



To obtain an application for a Social Security Card, go in person to your local Social Security Administration Office or online at:

<http://www.socialsecurity.gov/online/ss-5.html>

To find your local Social Security Administration office, you can call 1-800-772-1213 or go to:

Social Security Online Office Locator
<http://s00dace.ssa.gov/pro/fol/fol-home.html>

If you experience any difficulty applying for a social security card at the Social Security Administration, you should ask to speak with the worker's supervisor. If you still are having difficulty after speaking with the supervisor, you should ask for the supervisor's name and a receipt as proof that you tried to apply for a social security card. Always ask for a written proof of denial, in order to be able to file a case complaint. Afterwards, you may call LAFLA for assistance in this matter.

Public Benefits

Eligibility for asylees and refugees

Asylees may apply for benefits even if they have not been issued a social security number yet. A copy of the immigration judge's order or an I-94 with "Asylum Granted" stamp is enough to verify an asylee's eligibility. An asylee may apply for most public benefits at his/her closest Department of Public Social Services (DPSS) office. For more detailed information and for DPSS office locations, you can call:

Info Line
 General Number 1(800) 339-6993
 Los Angeles (323) 686-0950
 Long Beach, South Bay (562) 603-8962

In order to show proof of your eligibility for any of these benefits an asylee/refugee needs to present ONE of the following:

- I-94 with a stamp showing the individual is granted asylum/entered as refugee
- A copy of the Immigration Judge's order of asylum,
- A letter from the Asylum Office or
- A valid work permit/EAD

If you experience any difficulty applying for benefits at the your local DPSS or Social Security Administration office, you should ask to speak with the worker's supervisor. If you still are having difficulty after speaking with the supervisor, you should ask for the supervisor's name and a receipt as proof that you tried to apply for benefits. Afterwards, you may call Legal Aid Foundation of Los Angeles (LAFLA) for help with this problem.

LAFLA Intake Line
 (213)640-3883
 5228 E. Whittier Blvd.
 Los Angeles, CA 90022

Programs

Asylees and refugees can use any benefits, including cash welfare, health care, food programs and non-cash programs, without hurting your chances of getting a green card. Asylees are eligible for many public benefits including, but not limited to, the following:

1) Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA):

Single men and women and childless couples who are refugees or have been granted asylum are eligible for RCA and RMA for 8 months from the date they enter the United States (refugees) or the date they were granted asylum (asylees). To receive RCA, you will also have to find employment. You will be referred to the Refugee Employment Program to assist with the work requirements. There are also exemptions if you are unable to work.

2) General Relief:

General Relief (G.R.) is the County program that provides cash assistance to single or married adults (age 18 or older) without children, who have a very low income and are not eligible for any other benefits. Asylees and refugees whose families are still in their countries and who are living by themselves in the United States, can apply for this type of assistance if they are unemployed or if they are not making sufficient money to support themselves. If you are unemployed, but considered "employable" (not disabled or over 65), you will have to participate in job training or work activities. Since it's a program run by the Los Angeles County DPSS, you must live in L.A. County in order to qualify. GR has time limits where you can only receive assistance for nine months and then must be off for three months. This does not apply if you are considered "unemployable."

3) CalWORKs:

Asylee families are eligible for CalWORKs benefits. CalWORKs provides cash aid for needy families with at least one eligible child (under 18, United States born, or qualified immigrant status including refugee or asylee). All family members that qualify are considered to be in an "Assistance Unit." The grant amount depends on the size of the Assistance Unit. Payment is by use of an Electronic Benefit Transfer card (EBT card), that can be used at certain ATMs, banks, supermarkets and other places. CalWORKs has a work requirement for adults -unless the adult can be exempted from having to work or participate in "welfare-to-work" activities. Clients receiving CalWORKs are required to work 32 hours per week (for single parent- Assistance Unit/family) or 35 hours for a two-parent Assistance Unit. Some of the exceptions to this requirements are: disability, illness, or needing to care for someone who's in your home who is ill or disabled, or having a child under one years of age. Adults in the family can receive CalWORKs for a maximum lifetime limit of 60 months. The time limit does not apply to the children. Some exceptions exist also for this limitation.

4) Food Stamps:

Food Stamps is a federal program to help low-income individuals and families to buy food and improve their diets. The grant is based on how many people live in the same residence, using a standard formula. The assistance is based on gross income with deductions for routine expenses such as rent and utilities. If you are receiving CalWORKs or General Relief you should be eligible to receive Food Stamps. The “stamps” are now issued through an Electronic Benefit Transfer (EBT) card. This card can be used at most grocery stores and food outlets.

5) Medi-Cal:

The federal Medicaid program is called Medi-Cal in California. It is a health care program that covers most children, the elderly and disabled persons with limited income and resources. RMA (discussed above) is run through the County's Medi-Cal Program.

Who is eligible for Medi-Cal?

- Families who are on CalWORKs or look like CalWORKs families;
- Children (under the age of 18)
- The disabled
- The elderly (age 65 or older)
- Anyone receiving SSI benefits

Unlike Medicare, Medi-Cal covers prescription drugs and dental care. To date, it also covers undocumented pregnant women, providing prenatal care regardless of immigration status. There are many types of Medi-Cal programs with different rules. For problems with Medi-Cal or other health care issues, call:

Health Consumer Center of Los Angeles (HCC)
(A joint project of Legal Aid and Neighborhood Legal Services)
1-800-896-3203

6) SSI (Supplemental Security Income):

Asylees age 65 and older and people with disabilities can apply for this type of cash assistance. They are eligible to receive it for 7 years. This is a federal program and is run by the Social Security Administration (SSA). You apply for SSI through the SSA offices. Continuing eligibility requires the person to become a citizen to be able to receive it after 7 years.

To find your local Social Security Administration office, you can call Social Security Administration at:

SSA
1-800-772-1213
or if you have Internet access, go to:
Social Security Online Office Locator
<http://s00dace.ssa.gov/pro/fol/fol-home.html>

7) CAPI (Cash Assistance Program for Immigrants)

Asylees age 65 and older and people with disabilities can apply for CAPI when they are no longer eligible for SSI because of immigration status. Benefits amounts are similar to SSI; as with SSI, if you are eligible for CAPI you are eligible for Medi-Cal, Food Stamps and In Home Supportive Services.

In order to show proof of your eligibility for any of these benefits an asylee/refugee needs to present ONE of the following:

- I-94 with a stamp showing the individual is granted asylum/entered as refugee
- A copy of the Immigration Judge's order of asylum
- A letter from the Asylum Office.
- A valid work permit/EAD

If you experience any difficulty applying for benefits at the your local DPSS or Social Security Administration office, you should ask to speak with the worker's supervisor. If you still are having difficulty after speaking with the supervisor, you should ask for the supervisor's name and a receipt as proof that you tried to apply for benefits. Afterwards, you may call Legal Aid Foundation of Los Angeles (LAFLA) for help with this problem.

LAFLA Intake Line
(213)640-3883
5228 E. Whittier Blvd.
Los Angeles, CA 90022

Financial Aid and Education

As an asylee, you may be eligible, based on your financial situation, for federal and state financial aid programs. You should contact the Financial Aid office of the college you are interested in attending for more information about how to access financial aid.

As an asylee, you may qualify for in-state tuition if you have lived in California for more than one year immediately before the day instruction begins. An asylee/refugee is lawfully present immigrant and as such he or she will be treated as “residents” for the purposes of tuition at the University of California (UCLA, UC Irvine, UC Berkeley, etc), California State Universities (Cal State L.A., Cal State Northridge, Cal State Dominguez Hills, Cal State Long Beach) and Community Colleges.

For more information on immigrants and higher education, contact:

Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
1-888-624-4752

SECTION IV

Social Services Available To Torture Survivors:
Employment, Education & Housing

Employment Services For Torture Survivors:
International Rescue Committee “Matching Grant Program”

Mission:

To assist new refugees immediately after their arrival and asylees immediately after asylum is granted, in securing early employment and self-sufficiency.

Clients:

Matching Grant serves newly arrived refugees, asylees immediately after the grant of asylum (need to enroll within 30 days of asylum), and victims of trafficking, between the ages of 18 and 64 who want to work as soon as possible. Matching Grant clients come from a wide variety of backgrounds and countries. In the past year, Matching Grant clients have come from Asia (China, Burma, Pakistan, Iran), Africa (Ethiopia, Eritrea, Congo, Sudan, Somalia, Cameroon, Uganda), Eastern Europe (Russia, Ukraine, Serbia, Slovenia), South America (Colombia, Cuba). Educational backgrounds have ranged from college degrees to unskilled labor.

Services:

IRC-LA clients who choose the Matching Grant Program start participating soon after they arrive in the United States. Their involvement in the program lasts for four months. During that time, they are provided with financial assistance, and a wide range of employment services. If they do not find a job within the first four months, they are referred to the Department of Public Social Services (DPSS) and further job training or they can remain in the Matching Grant Program for further employment assistance for an additional two months.

Placements:

Partial list of jobs include: computer programming, mechanical assembly, food preparation, building security and maintenance, teaching, restaurant help, health care, sales, warehouse help, and more.

Funding:

Matching Grant is funded by the U.S. Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR), and the IRC. The funds raised locally by IRC-LA are “matched” by the ORR. For every \$1 IRC-LA raises, ORR pays \$2. Volunteer hours and CiK (Contributions in Kind) are also matched.

Volunteers:

The Matching Grant Program needs volunteers to help with additional services. Such services include assisting refugees and asylees in job search, acculturation, ESL, case management, and one-on-one mentoring to help refugees and asylees adjust. In addition, volunteers support fundraising, event planning, and overall outreach efforts.

For more information, please contact Kate Rath, Employment Specialist at:

IRC Los Angeles
3727 W. 6th St., Suite 619
Los Angeles
CA 90020
Tel: (213) 386-6700 extension 18
www.theirc.org

International Rescue Committee Matching Grant Program

MONTH 1

Enroll with IRC and receive orientation. IRC helps you apply for necessary documents (I-94 with photo, unrestricted SS#, photo ID from DMV), apply for Medi-Cal and food stamps, enroll any children in school, and apply for cash assistance. You receive an introduction to the U.S. labor market and job search. Your skills are assessed. One or more volunteers are assigned to help you personally.

MONTH 2

You work with IRC volunteers to design a great resume. Volunteers teach you about American workplace ethics and customs. IRC organizes your job search, getting volunteers, staff, friends and neighbors involved as well. You receive counseling about career steps. IRC helps deal with delays in obtaining the documents necessary for employment. You attend job fairs and/or short term training that IRC finds for you. IRC assists you as you fill out applications and helps set up interviews. Generous donors may give you gifts through IRC (computer, TV, gift certificates, toys, and/or clothes).

MONTH 3

Hopefully you have a job now. If not, more volunteers begin searching for you. You practice your interview skills with IRC and volunteers. IRC coaches you on effective ways to find jobs yourself. IRC advocates with employers to hire people without American work experience. IRC writes recommendation or cover letters to further support your employment. Volunteers help you adjust to your work situation.

MONTH 4

You have given IRC a copy of one paycheck to verify your employment. IRC has all information regarding employment in place. IRC deals with any issues related to your job and mediates and/or counsels. You are self-sufficient, and committed to furthering your own career. IRC and volunteers maintain contact with you. You work towards career advancement and always keep in touch.

Department of Motor Vehicles (DMV)

The Department of Motor Vehicles (DMV) is a consumer service organization. In California the DMV provides:

- Driver Licenses
- Identification Cards
- Vehicle Registration
- Occupational Licenses
- Driver Safety

To find the closest DMV office location near you (with your zip code) and to make an appointment, please call:

DMV Automated Voice Activated System
1-800-921-1117

If you need to make an appointment for a “behind-the-wheel” drive test, you will need to call 1-800-777-0133.

DMV offices operation hours are from 8:00 am to 5:00 pm Monday through Friday. Most DMV offices open one Saturday per month from 8:00 am to 12:00pm. Please call 1-800-921-1117 or 1-800-777-0133 to learn which office near you opens next Saturday.

In order to obtain a Driver License or Identification Card (ID) you need to:

- Visit a DMV office (make an appointment for faster service at 1-800-921-1117)
- Complete a Driver License application and sign it in person
- Pay the \$24 application fee
- Pass a vision exam
- Pass a traffic laws and sign test
- Present the following documents to your DMV local office:
 - 1) An acceptable birth date/legal presence (BD/LP) document(s) such as a valid I-94 stamped “Refugee,” “Parole or Parolee,” “Asylee,” or Section 207, Section 208, Section 209, Section 212d(5), HP or PIP; Approved Petition (Notice of Action (I-797)) or Immigration judge’s order granting asylum.
 - 2) An acceptable true full name document if the name on your BD/LP document is different from the name on your application. This can be: a marriage certificate, adoption decree, name change document or divorce decree.
 - 3) Your Social Security number (SSN). It will also be verified with the Social Security Administration (SSA) while you are in the DMV office.

After you pass the written test, you will need to schedule a behind-the-wheel driving test. To schedule a “behind-the-wheel” driving test, you will need to call 1-800-777-0133

Adult Education

One barrier that many torture survivors encounter when arriving to the United States is the language. Some of them may have had access to English education

in their countries, but don’t master the language in everyday situations. Some asylees may have basic knowledge of the language. This is not always the case with refugees.

Learning English is very important in order to find a job in the United States. Many centers offer job skills training that helps non English speakers to learn the language at the same time that they specialize in a determined job field (for example, accounting).

This section briefly outlines some resources available in Los Angeles, including the Los Angeles Unified School District (LAUSD) system, offered by the Division of Adult and Career Education where you can find more information about English as a Second Language instruction and Career Education. These courses have proved to be useful to many of our clients while looking for a job and adapting themselves to the city.

English as a Second Language (ESL)

With different levels, hours and locations, these classes will help you speak, read, listen to and write in English for everyday activities. There are 37 Adult Schools, Skills Centers, Occupational Centers and Employment Preparation Centers throughout Los Angeles that provide ESL instruction. These classes are free at most public adult schools. To find a program near you, call:

Class Information Line for LAUSD Adult Superior Education
(213) 625-3276
(Monday through Friday)

Career Education

LAUSD offers different programs for people that want to specialize in different professions. These courses are especially useful when looking for a job, since most of the classes offered respond to a highly demanded field. The length of most programs is less than a year. Here we have listed the contact information for the LAUSD Health Careers and Apprenticeship Careers programs

Health Careers Programs

(Vocational Nurse, Certified Nurse Assistant, X-Ray Technician, Emergency Medical Technician or Registered Dental Assistant)
(213) 241-3158

Apprenticeship Programs

(Building and Construction, Cosmetology and Barber)
(213) 745-4451 - (213) 241-3701

Metropolitan Skills Center

(Vocational and Job Training)
2801 W. 6th St.
Los Angeles, CA 90057
(213) 386-7269
(213) 483-5483

Housing for Asylees: Short-Term and Transitional

Los Angeles is a county of 9.8 million people (Estimate for 2003, US Census Bureau) that keeps expanding every year. Housing in general is very limited, and finding affordable housing is even worse. In this section, we try to provide some basic information, based on the referrals that our agencies usually provide to clients. In case of emergency, we are listing some basic information on homeless shelters.

Torture survivors that come to Los Angeles County usually have a friend or family member to live with during the first months. For them, this is very uncomfortable, since they feel they are not contributing to the household –being unemployed and not paying rent in the beginning.

The process of adaptation to a city like Los Angeles is hard. We always recommend clients to stay with friends and family the longest possible, at least until they land a job and understand the city. Most of our clients have lived with friends and family even after being granted asylum. Generally, they share an apartment until they are reunified with their families.

Those that are in the process of applying for asylum usually will not be authorized to work, unless their case is pending for more than 180 days, which would authorize them to apply for an Employment Authorization Document.

The options for those that are alone are very limited. The emergency shelters funded by the government, called “Winter Shelters” are opened everyday, they have an Overnight Shelter Program for single men and women who are homeless in Los Angeles County; for locations you can call:

Winter Shelter Hotline
1-(800)548-6047

Most long-term shelters are crowded all year long and have special requirements (some are for women victims of domestic violence with children only, some for single men or women, etc). Remember that these shelters run out of space very quickly and the best way to ensure space is going very early in the morning. To obtain information on shelters, you can call:

Info Line
1-(800)339-6993

Throughout Los Angeles County, there are many non-profit organizations that provide referrals for shelters and affordable housing. Most of them are open from Monday through Friday during business hours. It's important to know that these are not shelters, but organizations that provide assistance to the homeless. Here we have listed some of them, in different areas:

North Hollywood – San Fernando Valley

LA Family Housing
7843 Lankershim Blvd.
North Hollywood
(818) 982-4091

Downtown Los Angeles

Weingart Center
506 S. Main St.
Los Angeles, CA
(213) 624-3370

East Los Angeles

LA Family Housing Comunidad Cesar Chavez
“Chernow House”
207 North Breed Street
Los Angeles, CA 90033
Phone: (323) 264-1114

Hollywood and surrounding areas

People Assisting the Homeless “PATH”
340 N. Madison Ave,
Los Angeles, CA
(323) 644-2216

Santa Monica

Ocean Park Community Center (OPCC)
(310) 450-4050
(310) 264-6646
OPCC Sojourn Shelter
(310) 264-6644

From the moment our torture survivor clients submit their application for family reunification, the clock is ticking and the pressure to find affordable housing increases. Throughout Los Angeles the number of low-cost housing units is very limited. Many agencies and shelters offer special programs that can assist you getting on the waiting lists for these units. If you are currently in a shelter and you need a durable solution, ask the shelter staff if they can help you find permanent housing.

Since the family reunification process takes approximately eighteen months after the client has been granted asylum, the clients can take advantage of these waiting periods to stabilize their housing situation before their family joins them.

The Los Angeles Housing Authority offers Section 8 units, these are government-funded apartments given to eligible applicants who will receive rental assistance. For more information and to be placed in their waiting list you need to call with your Social Security Number to:

Section 8 Waiting List
Registration Line
1-(800)731-4663

Section V Los Angeles Contacts

Legal Aid Foundation of Los Angeles
Community Offices and Legal Issues Handled

1-800-399-4529 (1-800-4-LAW)

(Please note that you must press # in order to reach the indicated extension)

West Office
1102 Crenshaw Boulevard
Los Angeles, CA 90019
(323) 801-7989

Homeownership and Individual Rights:

(323) 801-7989 ext. #5250 (Call Between 9 a.m. - 1 p.m.)

- Predatory Loan Practices
- Forged Deeds and Title Transfer
- Foreclosures
- Criminal Record Expungements
- Unlawful Liens Against Real Property

Consumer Problems:

(213) 640-3884 ext. # 5250

- Bankruptcy
- Unfair Banking Practices
- Medical Bills
- Auto Repossessions
- Home Improvement Contract Fraud
- Bank Account Levies
- Wage Garnishment
- Vocational School Loans
- Credit Identity Theft
- Debt Collection

Family Law:

- Child Abduction
- Domestic Violence
- Visitation Rights

- Child Custody
- Child Support
- Child Concealment

Toll Center (Family Law walk-in clients)
111 N. Hill Street, Dept. 8 – Room 245
Los Angeles, CA 90012

Clients are seen on Monday, Tuesday, Wednesday and Friday
from 8:30 a.m. – 11:30 a.m. & 1:30 p.m. – 3:30 p.m.
(On a first come first served basis)

Debt Crisis Clinic:

(Phone Only): (213) 640-3964

- Credit Counseling
- Pre-Bankruptcy Counseling
- Creditor Harassment
- Legal Rights, Options and Responsibilities if Sued

Asian/Pacific Islander Hotlines:

- Mandarin/Cantonese (323) 801-7912
- Korean (323) 801-7987
- Vietnamese (323) 801-7923
- Khmer (Cambodian) (213) 640-3887

Central Office
1550 W. 8th Street
Los Angeles, CA 90017
(213) 640-3881

Eviction Defense Center:

(213) 487-7609

- Unlawful Detainers
- Illegal Lockouts
- Illegal Utility Termination
- Motion in Response to Notice to Vacate
- Rent Control Violations

Housing Issues:

(213) 385-1719

(Call between 10 a.m.-11:30 a.m. & 1 p.m. –4:30 p.m.)

- Representation in Administrative Hearing in Section 8 and Public Housing
- Other Housing Problems
- Alleviation of Slum conditions and Habitability problems

East Los Angeles Office
5228 Whittier Boulevard
Los Angeles, CA 90022
(213) 640-3883

Government Benefits:

(213) 640-3883 ext. # 5327
 (Mon-Thurs., All Day – Phones & Walk-Ins)

- CalWORKs
- SSI
- County Health
- Medi-Cal
- Food Stamps
- Social Security
- In Home Supportive Services
- Foster Care/Kin-GAP
- CAPI (Cash Assistance for Immigrants)
- General Relief/(GROW) (Mon.-Fri.) (213) 640-3918

Immigration:

(213) 640-3883 ext. # 3913
 (Walk-Ins: M-F, 9:00 a.m. – 11:00 a.m. & 1:30 p.m. – 4 p.m.)

- Naturalization
- Domestic Violence
- Deportation Defense
- Family Reunification
- Torture Victims
- Human Trafficking

Santa Monica Office
1640 5th Street, Suite 124
Santa Monica, CA 90401
(310) 899-6200

For Santa Monica Residents Only.
 This office schedules its own appointments.
 For an appointment, please call:
 (310) 899-6200.

Clients who seek help for Domestic Violence issues go to the Courthouse and do not need an appointment.

- Housing Issues; Unlawful Detainers
- Family Law Issues
- Consumer Issues
- Government Benefits

Domestic Violence Clinic

Santa Monica Courthouse
 1725 Main Street
 Santa Monica, CA 90401
 Assists clients on a walk-in basis with restraining orders
 Monday – Friday, 8:30 a.m. – 11:00 a.m.

South Central Office
8601 S. Broadway Los Angeles, CA 90003
(213) 640-3884

Employment Problems:

(213) 640-3884 ext. # 5445

- Unemployment benefits
- Wage Claims
- Vacation pay
- Minimum Wage claims
- Overtime claims

Community Economic Development:

(213) 640-3884 # 5445

- Assistance for nonprofits improving or creating affordable housing options, child care or transportation services, job training opportunities or jobs.
- Workshops for non-profit organizations to develop organizational capacity.
- Driver's License restoration clinics for nonprofit job training programs only.
- Assistance to small business entrepreneurs and nonprofits involved in entrepreneurial training, microbusiness incubation, or other self-employment strategies.

Long Beach Office
110 Pine Avenue, Suite 420
Long Beach, CA 90802
(562) 435-3501

- Housing Issues: Evictions, Unlawful Detainers
- Government Benefits Issues
- Family Law Issues

Housing Hotline: (562) 435-3501 ext. # 3849
 (Tues: 3:30 p.m. – 4:30 p.m.; Wed. & Thurs: 1:30 p.m. – 4:30 p.m.)

Domestic Violence/Family Law Clinic (Long Beach)

Long Beach Courthouse
 415 W. Ocean Blvd., Room 102
 Long Beach, CA 90802
 M-T-W-F 12:30 p.m. – 3:30 p.m. (closed on Thursdays)
 No appointments: First come, First served
 Priority given to Domestic Violence Restraining Orders

Domestic Violence/Family Law Clinic (Torrance)

Torrance Courthouse
825 Maple Avenue, 4th floor
Torrance, CA 90503

M-W-F 9:00 a.m. – 11:30 a.m. & 1:30 p.m. – 3:30 p.m.

No appointments: First come, First served

Priority given to Domestic Violence Restraining Orders & Child Abductions

Inglewood Self-Help Legal Access Center

Inglewood Courthouse
1 East Regent St., Room 107
Inglewood, CA 90301

M-F 9:00 a.m. – 11:30 a.m.; M,T,Th, F 1:30 p.m. – 3:30 p.m.

Other Referrals**A****ATTORNEY MISCONDUCT**

State Bar of California
(213) 765-1000

B**BANKRUPTCIES**

Los Angeles Free Clinic
(323) 462-8632

Public Counsel
(213) 385-2977, ext. 704

C**CAR ACCIDENTS**

Dispute Resolution Services
(323) 876-2747

Center for Conflict Resolution
(213) 736-1145

CIVIL RIGHTS

American Civil Liberties Union
ACLU
(213) 977-9500

CHIRLA
(213) 353-1333
1-(888) 624-4752

NAACP
(323) 296-2630

MALDEF

(213) 629-2512

Protection & Advocacy
(rights for the disabled)
(213) 427-8747

CONSUMER PROBLEMS (for cases or clients LAFLA does not serve)

Consumer Affairs & Small Claims
Court Advisor
(213) 974-1452

Bet Tzedek Legal Services
(323) 939-0506

Better Business Bureau
(310) 945-3166

Center For Conflict Resolution
(213) 736-1145

Dispute Resolution Services
(323) 876-2747

CREDIT COUNSELING (for cases or clients LAFLA does not serve)

Bet Tzedek Legal Services
(323) 939-0506

Community Financial Resource Center
(323) 233-1900

Consumer Credit Counseling Services
of Los Angeles
1 (800) 750-2227

Consumer Affairs
(213) 974-1452

CRIMINAL LAW

Police Misconduct
(213) 387-3325

Public Defender (including criminal
record expungement)
(213) 974-2811

Public Defender (Juvenile)
(213) 974-2878

Doctor Misconduct
(State Medical Board)
1 (800) 633-2322

E**EMPLOYMENT****TERMINATION/DISCRIMINATION**

Equal Employment
(213) 894-1000

Labor Commissioner
(213) 897-4037

Worker's Compensation Hotline
(213) 576-7389

F**FAMILY LAW PROBLEMS (for cases or clients LAFLA does not serve)**

Los Angeles Free Clinic
(for simple divorces)
(213) 655-2697

Harriet Buhai Family Law Center
(213) 388-7515

Levitt & Quinn Family Law Center
(sliding scale fees)
(213) 482-1800

District Attorney – Child Support
1 (800) 615-8858

District Attorney –
Child Abduction Unit
(213) 974-7424

SPUNK (Single Parents United N' Kids)
(Simple divorces, child support)
(562) 984-2580

Family Law Facilitator
(for child support only)
(213) 974-5004

I**IMMIGRATION**

Public Counsel Law Center
Telephone: (213) 385 2977
Hours: 9am-5pm
Fee: None

USC School of Law
Immigration Law Clinic
(213)821-5927

International Institute of Los Angeles
Telephone: (323) 264-6217
Hours: 8:30am-5pm
Fee: \$20 Consultation Fee

L.A. County Bar Immigration Project
Telephone: (213) 485-1872
Hours: 8am-12pm— 1pm 3pm
Fee: \$20 consultation fee & min.
donation thereafter.

L.A. Center for Law & Justice
Telephone: (323) 890-3500
Services:VAWA
Must Live in East L.A. or North East L.A.
Fee: None

CARECEN
(Central American Refugee Center)
Telephone: (213) 385-7800
Hours: 9am-5pm
Fee: Minimum Contribution

Catholic Charities
Telephone: (213) 251-3411
Hours: 9am-5pm
Fee: \$20 Consultation Fee
(May be waived)

INTERNET ACCESS

Los Angeles Public Library
(213)228-7000 ext.7

M**MEDIATION SERVICES**

Buena Fe Mediation Services
(323) 260-2855

Loyola Law School Conflict
Resolution Center
(213) 736-1145

P**PROBATE/WILLS**

Bet Tzedek Legal Services
(323) 939-0506

R**RENTAL PROBLEMS (for cases or clients LAFLA does not serve)**

L.A. Center for Law and Justice
(323) 980-3500

Legal Aid Society of Orange County
1 (800) 834-5001

(714) 571-5200

Building & Safety
(323) 260-3450

Consumer Affairs
(including Small Claims Court)
(213) 974-1452

Dispute Resolution Services
(323) 876-2747

Fair Housing
1 (800) 884-1684

Health Department
(323) 730-3558

Housing Authority
(213) 252-2500

United Tenants / Inquilinos Unidos
(213) 483-7497

Landlord Information Hotline
(213) 384-4131

Rent Control
(213) 847-7368

**RENTAL PROBLEMS –
CODE ENFORCEMENT
(CODE ENFORCEMENT AGENCIES)**

City of Los Angeles Code Enforcement
& Rent Control Violations
1 866-557-7368 (R-E-N-T)

County of Los Angeles Health
Department Hotline:
1 888-700-9995

Downtown and Pico Union
(213) 351-7892

South LA
(213) 846-4173

Hollywood
(213) 351-7893

East
(323) 780-2272

Culver City /Inglewood
(310) 419-5358

Mid-Wilshire
(213) 351-7895

S**SOCIAL SERVICES**

Info Line for the Hearing Impaired
(TTD)
1 (800) 660-4026

Los Angeles County Veterans
Administration
(213) 744-4825

U**UTILITY ASSISTANCE PROGRAMS**

Home Energy Assistance Program
1 (800) 433-4327

V**VICTIMS OF VIOLENT CRIMES
APPLICATIONS**

City Attorney's Office
(213) 485-6976

Appendix**Sample of Documents****I-94**

The image shows a sample of an I-94 form. At the top, it says 'Departure Number' followed by a redacted box. Below that, it says 'Immigration and Naturalization Service'. In the center, it reads 'ASYLUM STATUS GRANTED INDEFINITELY PURSUANT TO SEC. 208 OF THE IAN ACT ON MAY 29 2002'. Below this, it says 'Departure Record' followed by a redacted box. At the bottom, it says 'See Other Side' and 'STAPLE HERE'.

Notice of Approval from Los Angeles Asylum Office

The image shows a sample of a Notice of Approval from the Los Angeles Asylum Office. At the top, it says 'U.S. Department of Justice' and 'Immigration and Naturalization Service'. Below that, it says 'P.O. BOX 5000' and 'LOS ANGELES, CA 90050'. In the center, it says 'Date: APR 28 2004'. Below this, it says 'Name Address' and 'NAME - Alien Number (A-4)'. At the bottom, it says 'Asylum Approval'.

The text of the notice reads:

This notice relates to your request for asylum in the United States filed on 1/15/04.

It has been determined that you are eligible for asylum in the United States. Attached please find a completed Form I-94, Arrival/Departure Record, indicating that you have been granted asylum status in the United States pursuant to 8 (208a) of the Immigration and Nationality Act (INA) as of 4/28/04. This grant of asylum includes your dependent family members who are present in the United States, who were included in your asylum application, and for whom you have established a qualifying relationship by a preponderance of evidence.

You have been granted asylum in the United States for the following reasons: [redacted]. However, you have stated that you do not give you the right to remain permanently in the United States. Asylum status may be terminated if you no longer have a well-founded fear of persecution because of a fundamental change in circumstances, you have obtained protection from another country, or you have committed certain crimes or engaged in other activity that makes you ineligible to obtain asylum status in the United States. See INA § 208(b)(7).

Now that you are an asylee, you may apply for certain benefits, which are listed below. You are also responsible for complying with certain laws and regulations, if such laws and regulations apply to you. These responsibilities are also explained in this letter. We recommend that you retain the original of this letter as proof of your status until you submit copies of this letter when applying for any of the benefits or services listed below. You may obtain one of the forms of Citizenship and Immigration Services (CIS) forms mentioned in this letter by visiting a local USCIS office or by calling the National Customer Service Center at 1-800-375-5283. You may also download any CIS form from the Internet on the USCIS website at www.uscis.gov.

Immigration Judge Order granting asylum

IMMIGRATION COURT
606 SOUTH OLIVE ST., 15TH FL.
LOS ANGELES, CA 90014

In the Matter of _____
Case No. 0-A1
IN REMOVAL PROCEEDINGS
ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on Nov 17, 2002.
This memorandum is solely for the convenience of the parties. If the
proceedings should be appealed or reopened, the oral decision will become
the official opinion in the case.

1 The respondent was ordered removed from the United States to _____
or in the alternative to _____

2 Respondent's application for voluntary departure was denied and
respondent was ordered removed to _____

3 Respondent's application for voluntary departure was granted until
post posting a bond in the amount of \$ _____

4 Respondent's application for removal was ☒ granted ☐ denied
☐ withdrawn.

5 Respondent's application for withholding of removal was ☒ granted
☐ denied ☐ withdrawn.

6 Respondent's application for cancellation of removal under section
240A(a) was ☐ granted ☐ denied ☐ withdrawn.

7 Respondent's application for cancellation of removal was ☐ granted
under section 240A(b)(1) ☐ granted under section 240A(b)(2)
☐ denied ☐ withdrawn. If granted, it was ordered that the
respondent be issued all appropriate documents necessary to give
effect to this order.

8 Respondent's application for a waiver under section _____ of the INA was
☐ granted ☐ denied ☐ withdrawn or ☐ neither.

9 Respondent's application for adjustment of status under section _____
of the INA was ☐ granted ☐ denied ☐ withdrawn. If granted, it
was ordered that respondent be issued all appropriate documents necessary
to give effect to this order.

10 Respondent's status was rescinded under section 246.

11 Respondent is admitted to the United States as a _____ until _____.

12 As a condition of admission, respondent is to post a \$ _____ bond.

13 Respondent knowingly filed a frivolous asylum application after proper
notice.

14 Respondent was advised of the limitations on discretionary relief for
failure to appear as ordered in the Immigration Judge's oral decision.

15 Proceedings were terminated.

Other: The C.A.T. claim is found moot.

Date: Nov 17, 2002

Appeal: Unfiled/Reserved by DHS Appeal Due By: 12-17-03

[Signature]
J. J. [Name]
Immigration Judge

Refugee Travel Document

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
Immigration and Naturalization Service
REFUGEE TRAVEL DOCUMENT
(UN Convention of July 28, 1951)

See important information on page 1 and on pages 23, 24,
and the inside of the back cover.

• THIS IS NOT A UNITED STATES PASSPORT •

THIS DOCUMENT AT ALL TIMES REMAINS THE PROPERTY OF THE UNITED STATES AND SHALL BE RETURNED TO THE GOVERNMENT UPON DEMAND.

If this document is found, please return it to:

INS Service Center
P.O. Box 87131
Lincoln, NE 68501

Signature of Bearer / Signature Du Titulaire _____	Form I-571 Rev. 05-15-93
--	--------------------------

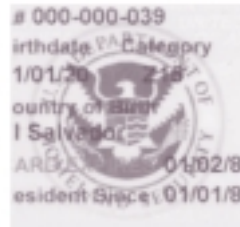
DHS-USCIS Permanent Resident Card



DHS 4-551 with full front profile



Three-quarter profile



DHHS Serial

On November 15, 2004, the Department of Homeland Security's U.S. Citizenship and Immigration Services began issuing the new Permanent Resident Card featuring the DHS seal, which is depicted on both the front and back of the card. These changes come following the depiction of the Department of Justice cardstock. Initially, both three-quarter and full front profile photographs will appear on the new DHS I-551. However, applications for either initial or replacement I-551's received on or after September 1, 2004 require full front profile photographs in accordance with the biometric standards established pursuant to Section 303(c)(1) of the Enhanced Border Security and Visa Entry Reform Act of 2002. I-551's already in circulation remain valid until the expiration date listed on the card or until recalled by USCIS.



Back of DHS I-551



Hologram on DHS I-551

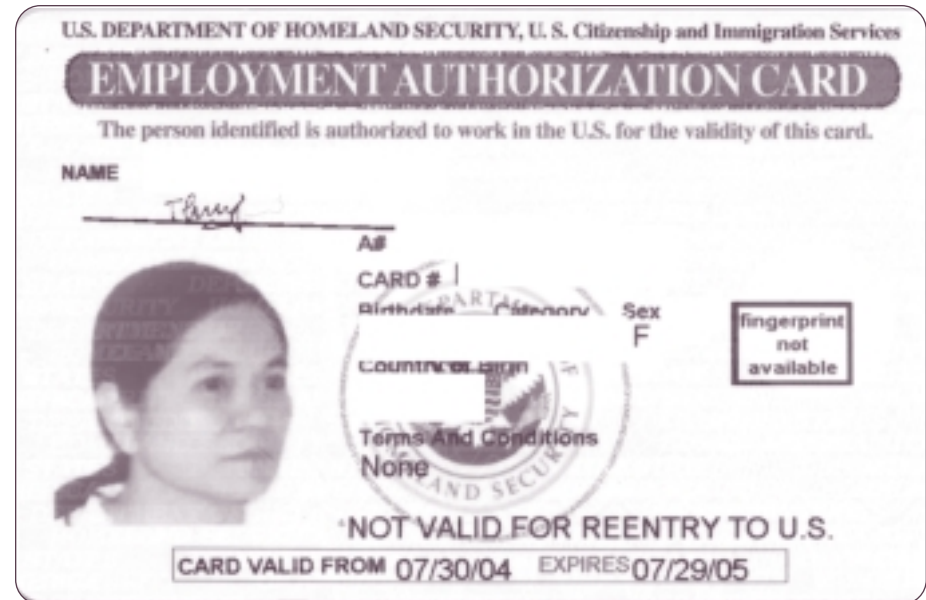
The back of the card removes all references to the "Department of Justice/Immigration and Naturalization Service" and changes them to "Department of Homeland Security" (green arrows). The revision date on the new DHS I-551 is 10-21-03 (blue arrow).



The hologram on the photo side of the DHS I-551 remains complex and multi-colored.

The Department of Homeland Security seal appears on the optical stripe on the back of the card (yellow arrow).

Employment Authorization Document (EAD/“work permit”)





PROGRAM ADMINISTRATION 1102 South Crenshaw Blvd., Los Angeles, California 90019 Telephone (323) 801-7991 Facsimile: (323) 801-7945 Executive Director: (323) 801-7915 Development Office: (323) 801-7915 Communications: (323) 801-7903 <http://www.lafla.org>

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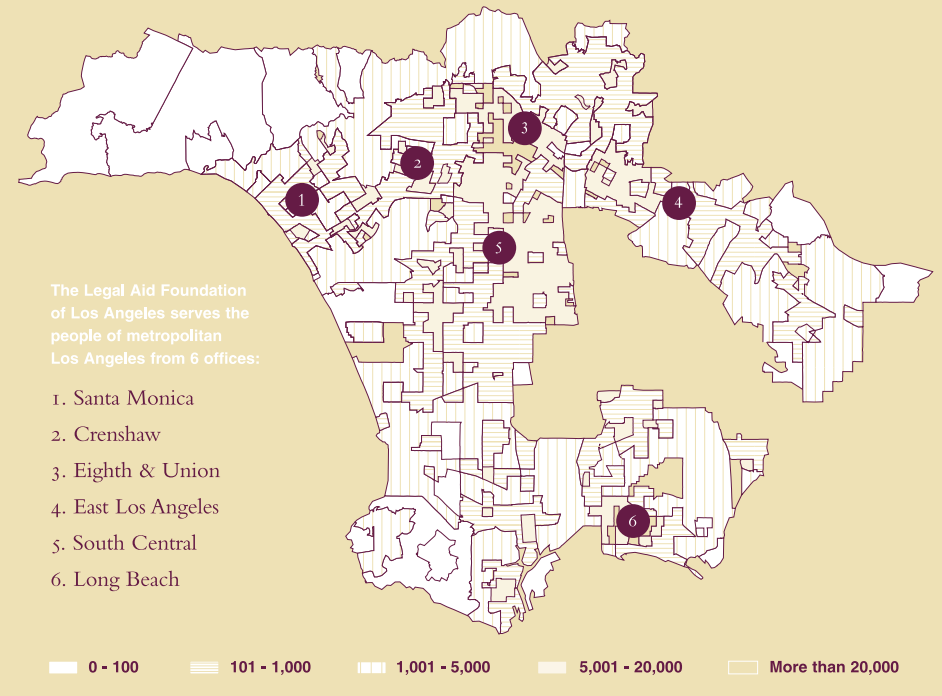
Mary Ann Heimann, Legal Aid Foundation of Los Angeles

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Density of Income-Eligible Persons

Shaded areas of map show persons in need per square mile



2003 Client Income Eligibility Guidelines

Based on Legal Services Corporation 2003 Poverty Guidelines

Family Size	Yearly	Monthly
1	\$ 11,225	\$ 935
2	\$ 15,750	\$ 1,263
3	\$ 19,075	\$ 1,590
4	\$ 23,000	\$ 1,8917

Legal Aid Foundation of Los Angeles

1102 South Crenshaw Boulevard, Los Angeles, California 90019

(323) 801-7991